

108TH CONGRESS
2D SESSION

H. R. 4416

To establish the Great Lakes Protection and Restoration Committee.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. EHLERS introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Great Lakes Protection and Restoration Committee.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Great Lakes Protection
5 and Restoration Committee Act”.

6 **SEC. 2. GREAT LAKES PROTECTION AND RESTORATION**
7 **COMMITTEE.**

8 (a) ESTABLISHMENT.—There is established a com-
9 mittee to be known as the “Great Lakes Protection and

1 Restoration Committee” (hereinafter referred to in this
2 section as the “Committee”).

3 (b) PURPOSE.—The purpose of the Committee is to
4 conduct a study and report on programs established and
5 carried out to achieve restoration goals for the Great
6 Lakes prepared by the Governors of Great Lakes States
7 and to make recommendations for prioritization of such
8 goals, legislation and funding to achieve such goals, and
9 improvement of coordination among programs and govern-
10 ments with respect to such goals.

11 (c) STUDY AND REPORT.—

12 (1) STUDY.—The Committee shall conduct a
13 study, based on restoration goals for the Great
14 Lakes prepared by the Governors of Great Lakes
15 States, to identify the best methods by which to pro-
16 tect and restore the Great Lakes. The study shall in-
17 clude—

18 (A) an analysis of Federal and State fund-
19 ing for the 10-year period ending on the date
20 of the enactment of this Act for programs es-
21 tablished and carried out to achieve the restora-
22 tion goals, including an assessment of the suc-
23 cess of the programs; and

24 (B) an analysis of the expected accomplish-
25 ments of such programs for the 10-year period

1 beginning on the date of the enactment of this
2 Act based on existing funding levels for the pro-
3 grams.

4 (2) REPORT.—Not later than one year after the
5 date of the initial meeting of the Committee under
6 subsection (e)(1), the Committee shall submit to the
7 President, Congress, and the Governor of each Great
8 Lakes State, and make available to the national
9 Government of Canada and the Premiers of the
10 Provinces of Ontario and Quebec, a report that in-
11 cludes—

12 (A) the results of the study, including a
13 detailed statement of the findings and conclu-
14 sions of the Committee;

15 (B) recommendations for the prioritization
16 of the restoration goals for the Great Lakes
17 prepared by the Governors of the Great Lakes
18 States;

19 (C) specific benchmarks for the 10-year
20 period beginning on the date of the enactment
21 of this Act to measure the achievement of such
22 restoration goals;

23 (D) recommendations for proposed Federal
24 and State legislation for obtaining additional

1 authority and funding as necessary to achieve
2 such restoration goals;

3 (E) recommendations for methods to im-
4 prove coordination among existing Federal,
5 State, local, and non-governmental programs
6 established to achieve the restoration goals pre-
7 pared by the Governors of the Great Lakes
8 States; and

9 (F) recommendations for methods to im-
10 prove coordination between Federal, State, and
11 local programs in the United States and the na-
12 tional Government of Canada and the Govern-
13 ments of the Provinces of Ontario and Quebec
14 with respect to environmental protection and
15 restoration activities in the Great Lakes.

16 (d) MEMBERSHIP.—

17 (1) VOTING MEMBERS.—The Committee shall
18 be composed of 25 voting members, of whom—

19 (A) 8 members shall be the Governors of
20 the Great Lakes States (or designees of the
21 Governors);

22 (B) 13 members shall be appointed by the
23 President, of whom—

24 (i) 1 member shall be a representative
25 of the Department of the Interior;

1 (ii) 1 member shall be a representa-
2 tive of the Corps of Engineers;

3 (iii) 1 member shall be a representa-
4 tive of the Great Lakes National Program
5 Office of the Environmental Protection
6 Agency;

7 (iv) 1 member shall be a representa-
8 tive of the National Oceanic and Atmos-
9 pheric Administration;

10 (v) 1 member shall be a representative
11 of the Department of Agriculture; and

12 (vi) 8 members shall be chief execu-
13 tives of cities, counties, or municipalities in
14 the Great Lakes Region, of whom 1 mem-
15 ber shall be from each Great Lakes State;

16 (C) 1 member shall be appointed by the
17 Speaker of the House of Representatives;

18 (D) 1 member shall be appointed by the
19 minority leader of the House of Representa-
20 tives;

21 (E) 1 member shall be appointed by the
22 President pro tempore of the Senate; and

23 (F) 1 member shall be appointed by the
24 minority leader of the Senate.

1 (2) NONVOTING MEMBERS.—The Committee
2 shall include 10 nonvoting members appointed by
3 the President, of whom—

4 (A) 2 members shall be representatives of
5 the environmental community;

6 (B) 2 members shall be representatives of
7 industry;

8 (C) 2 members shall be representatives of
9 the scientific community with expertise on the
10 environmental conditions of the Great Lakes;

11 (D) 2 members shall be representatives of
12 Indian tribes located in the Great Lakes Re-
13 gion;

14 (E) 1 member shall be a United States
15 Commissioner of the Great Lakes Fishery Com-
16 mission appointed under section 3(a)(1) of the
17 Great Lakes Fishery Act of 1956 (16 U.S.C.
18 932(a)(1)); and

19 (F) 1 member shall be the Chair of the
20 United States Section of the International Joint
21 Commission established by the Boundary Wa-
22 ters Treaty of 1909.

23 (3) NONVOTING OBSERVERS.—The Committee
24 may include nonvoting observers, including—

1 (A) the Premiers of the Canadian Prov-
2 inces of Ontario and Quebec;

3 (B) a representative of the national Gov-
4 ernment of Canada; and

5 (C) a representative of the Department of
6 State.

7 (4) DATE OF APPOINTMENT.—The appointment
8 of each member of the Committee shall be made not
9 later than 90 days after the date of the enactment
10 of this Act.

11 (5) TERM.—A member shall be appointed for
12 the life of the Committee.

13 (6) VACANCIES.—A vacancy on the Com-
14 mittee—

15 (A) shall not affect the powers of the Com-
16 mittee; and

17 (B) shall be filled in the same manner as
18 the original appointment was made.

19 (7) CHAIRPERSON AND VICE CHAIRPERSON.—
20 The Committee shall select a Chairperson from
21 among the members of the Committee described in
22 paragraph (1)(A) and a Vice Chairperson from
23 among the members of the Committee appointed
24 under clauses (i) through (v) of paragraph (1)(B).

1 (8) COMPENSATION.—Members of the Com-
2 mittee shall serve without pay.

3 (9) TRAVEL EXPENSES.—A member of the
4 Committee shall be allowed travel expenses, includ-
5 ing per diem in lieu of subsistence, in accordance
6 with sections 5702 and 5703 of title 5, United
7 States Code.

8 (e) MEETINGS.—

9 (1) INITIAL.—Not later than 30 days after the
10 date on which all members of the Committee have
11 been appointed, the Committee shall hold the initial
12 meeting of the Committee.

13 (2) SUBSEQUENT.—The Committee shall meet
14 at the call of the Chairperson.

15 (3) QUORUM.—A majority of the voting mem-
16 bers of the Committee described in subsection (d)(1)
17 shall constitute a quorum, but a lesser number of
18 members may hold hearings.

19 (f) POWERS.—

20 (1) HEARINGS.—The Committee may hold
21 hearings, meet and act, take testimony, and receive
22 evidence as the Committee considers advisable to
23 carry out this Act.

24 (2) INFORMATION FROM FEDERAL AGENCIES.—

1 (A) IN GENERAL.—The Committee may
2 secure directly from a Federal agency such in-
3 formation as the Committee considers necessary
4 to carry out this Act.

5 (B) PROVISION OF INFORMATION.—On re-
6 quest of the Chairperson of the Committee, the
7 head of the agency shall provide the informa-
8 tion to the Committee.

9 (3) POSTAL SERVICES.—The Committee may
10 use the United States mails in the same manner and
11 under the same conditions as other agencies of the
12 Federal Government.

13 (4) GIFTS.—The Committee may accept, use,
14 and dispose of gifts or donations of services or prop-
15 erty.

16 (g) STAFF.—

17 (1) APPOINTMENT.—

18 (A) EXECUTIVE DIRECTOR.—The Com-
19 mittee may appoint and terminate an executive
20 director.

21 (B) OTHER STAFF.—The Chairperson of
22 the Committee may appoint and terminate such
23 other additional personnel as are necessary to
24 enable the Committee to perform the duties of
25 the Committee.

1 (2) COMPENSATION.—

2 (A) IN GENERAL.—Except as provided in
3 subparagraph (B), the Chairperson of the Com-
4 mittee may fix the compensation of the execu-
5 tive director and other personnel without regard
6 to the provisions of chapter 51 and subchapter
7 III of chapter 53 of title 5, United States Code,
8 relating to classification of positions and Gen-
9 eral Schedule pay rates.

10 (B) MAXIMUM RATE OF PAY.—The rate of
11 pay for the executive director and other per-
12 sonnel shall not exceed the rate payable for
13 level V of the Executive Schedule under section
14 5316 of title 5, United States Code.

15 (3) DETAIL OF FEDERAL GOVERNMENT EM-
16 PLOYEES.—

17 (A) IN GENERAL.—An employee of the
18 Federal Government may be detailed to the
19 Committee without reimbursement.

20 (B) CIVIL SERVICE STATUS.—The detail of
21 the employee shall be without interruption or
22 loss of civil service status or privilege.

23 (4) PROCUREMENT OF TEMPORARY AND INTER-
24 MITTENT SERVICES.—The Chairperson of the Com-
25 mittee may procure temporary and intermittent serv-

1 ices in accordance with section 3109(b) of title 5,
2 United States Code, at rates for individuals that do
3 not exceed the daily equivalent of the annual rate of
4 basic pay prescribed for level V of the Executive
5 Schedule under section 5316 of that title.

6 (h) TERMINATION.—The Committee shall terminate
7 90 days after the date on which the Committee submits
8 the report of the Committee under subsection (c)(2).

9 (i) DEFINITIONS.—In this Act:

10 (1) GREAT LAKES.—The term “Great Lakes”
11 means Lake Erie, Lake Huron (including Lake
12 Saint Clair), Lake Michigan, Lake Ontario, Lake
13 Superior, and the connecting channels of those
14 lakes, including the Saint Mary’s River, the Saint
15 Clair River, the Detroit River, and the Saint Law-
16 rence River to the Canadian border.

17 (2) GREAT LAKES STATE.—The term “Great
18 Lakes State” means each of the States of Illinois,
19 Indiana, Ohio, Michigan, Minnesota, New York,
20 Pennsylvania, and Wisconsin.

21 (3) GREAT LAKES REGION.—The term “Great
22 Lakes region” means the region comprised of the
23 Great Lakes States.

24 (4) INDIAN TRIBE.—The term “Indian tribe”
25 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 450b).

3 (j) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There is authorized to be
5 appropriated to carry out this section \$5,000,000 for
6 fiscal year 2005.

7 (2) AVAILABILITY.—Amounts appropriated pur-
8 suant to the authorization of appropriations under
9 paragraph (1) are authorized to remain available
10 until the date of termination of the Committee under
11 subsection (h).

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